

HOUSE BILL NO. HB0196

Local regulation-subdivisions.

Sponsored by: Representative(s) Duncan, Hunt, Lindholm and
Sweeney and Senator(s) Boner, Coe, Driskill
and Scott

A BILL

for

1 AN ACT relating to real estate subdivisions; amending
2 exemptions for subdivisions; limiting the power of county
3 commissioners regarding subdivision exemptions; and providing
4 for an effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 18-5-201 and 18-5-315 are amended to
9 read:

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11 **18-5-201. Authority vested in board of county**
12 **commissioners; inapplicability of chapter to incorporated**
13 **cities and towns and mineral resources.**

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1 To promote the public health, safety, morals and general
2 welfare of the county, each board of county commissioners may
3 regulate and restrict the location and use of buildings and
4 structures and the use, condition of use or occupancy of lands
5 for residence, recreation, agriculture, industry, commerce,
6 public use and other purposes in the unincorporated area of
7 the county. However, nothing in W.S. 18-5-201 through
8 18-5-208 shall be construed to contravene any zoning
9 authority of any incorporated city or town and no zoning
10 resolution or plan shall prevent any use or occupancy
11 reasonably necessary to the extraction or production of the
12 mineral resources in or under any lands subject thereto.
13 Nothing in W.S. 18-5-201 through 18-5-208 shall be construed
14 to allow any board of county commissioners, through the
15 establishment of minimum lot size requirements or otherwise,
16 to prevent residential or agricultural uses authorized for
17 land divisions that are exempt from subdivision requirements
18 pursuant to W.S. 18-5-303(a)(i).

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20 **18-5-315. Provisions minimum.**

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22 If any board has or enacts resolutions or regulations which
23 impose requirements on subdividers or subdivisions which are

1 more restrictive than the provisions of this article, the
2 authority to enact such local resolutions or regulations
3 being hereby granted, the local provisions are not superseded
4 by the provisions of this article. Nothing in this section
5 shall be deemed to allow any board to impose requirements
6 that contravene the exemptions from this article as provided
7 in W.S. 18-5-303.

8

9 **Section 2.** This act is effective July 1, 2019.

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(END)